

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOE TONGISH, as Special Administrator of )  
the Estate of Wilma Tongish, Deceased )  
and DENIS W. TONGISH, )

Plaintiffs, )

v. )

EDWARD SCOTT CARROLL, D.O., )

Defendant. )

8:06CV365

ORDER

Upon notice of settlement given to the magistrate judge on August 13, 2007 by counsel for the defendant,

**IT IS ORDERED that:**

1. The parties shall file a joint stipulation for dismissal (or other dispositive stipulation) with the clerk of the court which will fully dispose of the case **on or before September 14, 2007**. If the case is being dismissed, the stipulation shall comply with Fed. R. Civ. P. 41(a)(1)(ii) and shall state whether the dismissal is with or without prejudice.

2. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice in accordance with NECivR 68.1.

3. The trial previously scheduled is cancelled upon the representation that this case is settled.

4. Defendant's motion in limine and motion for oral argument (Filing No. 57) is denied as moot.

DATED this 13th day of August, 2007.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge